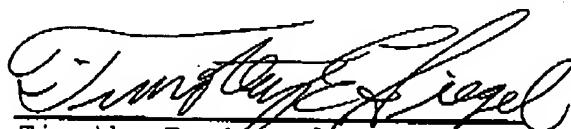


REMARKS

Applicant respectfully submits that amended claim 1 is patentably distinct over the prior art because Gough does not show the membrane system outer surface drooping 5 toward the electrochemically active surface as it extends away from the nub. This is part of a very important distinction, because Gough does not teach a system of building a sensor in which viscous liquids must be retained on an underlying structure during curing. Rather, Gough 10 teaches the use of a tube housing 14 that is filled up with enzyme (filling space 23). Accordingly, Gough never confronts the essential problem confronted by the present invention. The method used by Gough to construct his sensor is not adapted to miniaturization as it involves the 15 manipulation of tube 14. The dip coat method used in the present invention is advantageous in the creation of a miniaturized sensor, but requires some ingenuity to permit the build-up of a sufficient membrane thickness. The nubs of the present invention are the fruit of this ingenuity, 20 and are not suggested by the very different method of Gough.

Respectfully submitted,

25



Timothy E. Siegel
Attorney for Applicant
Reg. No.: 37,442
Tel. No.: (503) 650-7411
Fax No.: (503) 650-9886

30

35

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lawrence B. Jansen Art Unit 3736
Serial No.: 10/640,980 Examiner: Robert L.
Filing Date: 08/14/2003 Docket: NAI.028
Title: METHOD OF CONSTRUCTING A BIOSENSOR

5

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being
10 facsimile transmitted to the U.S. Patent and Trademark
Office Fax No.: 571.273.8300 on October 17, 2005.

15 signed: Claudia A. Degner Date: October 17, 2005

Typed Name of Person Signing Certificate: Claudia A. Degner